

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MRS. JUSTICE K.HEMA

MONDAY, THE 15TH JANUARY 2007 / 25TH PAUSHA 1928

Crl.Rev.Pet.No. 177 of 2007()

CRA.547/2003 of ADDL.SESIONS COURT (SPL.CAURT), KOTTAYAM
CC.182/2001 of JUDL.MAGISTRATE OF FIRST CLASS-II, KANJIRAPPALLY
.....

REVN. PETITIONER: APPELLANT/ACCUSED

V.SREEKUMAR, S/O.VASUDEVAN NAIR,
LAL SADANAM, ANAKKAYAM BHAGOM,
PONKUNNAM P.O., CHIRAKKADAVU VILLAGE.

BY ADV. SRI.P.A.MOHAMMED SHAH

RESPONDENTS: RESPONDENT

1. R.RAJASEKHARAN NAIR,
S/O.RAGHAVAN NAIR, THONDUVELIL,
THAMPALAKKATTU P.O., KANJIRAPPALLY VILLAGE.
2. STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY ADV. SRI.K.ABDUL JAWAD
PUBLIC PROSECUTOR SRI.C.K.SURESH

THIS CRIMINAL REVISION PETITION HAVING COME UP FOR ADMISSION
ON 15/01/2007, THE COURT ON 15/01/2007 PASSED THE
FOLLOWING:

K. HEMA, J.

Crl.R.P. No.177 of 2007

Dated this 15th day of January, 2007.

O R D E R

Revision Petitioner is the accused in C.C.No.182 of 2001 on the file of the Judicial First Class Magistrate's Court-II, Kanjirappally. First respondent is the complainant therein. Revision petitioner was convicted and sentenced by the Magistrate's Court to undergo simple imprisonment for three months and also directed to pay compensation of Rs.1,30,625/- to the complainant in default of payment to undergo simple imprisonment for 20 days under section 357(3) of the Code of Criminal Procedure. In appeal filed by him, the Sessions Court confirmed the conviction and modified the sentence. This revision arises from the said conviction and sentence.

2. At the time of hearing, both sides submitted that a petition as Crl.M.Appl.No.580 of 2007 is filed for compounding the offence. It is also submitted by both sides that the matter is settled out of court amicably between the parties and the amount is also paid by the petitioner to the satisfaction of the first respondent. On hearing both sides and on going through the averments in the petition, I am satisfied that this is a fit case to grant permission to compound the offence.

In the result, Revision Petitioner is acquitted of offence under section 138 of the Negotiable Instruments Act, as offence is compounded. He is set at liberty forthwith.

Crl. M.Appl.No.580 of 2007 and Revision Petition are allowed.

vgs.

K. HEMA, JUDGE.